

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

CLOSEABILITY DATA SOLUTIONS, INC.  
3401 Enterprise Parkway, Suite 340  
Beachwood, Ohio 44122

PLAINTIFF,

VS.

ALTISOURCE S.À R.L.  
NW Corporate Center 4 Ste 200 A  
7730 Market Center  
El Paso, TX 79912

RICHARD JIMENEZ  
10752 Deerwood Park Blvd. Suite 100  
Jacksonville, FL 32256,

DEFENDANTS.

Case No.:

**COMPLAINT FOR  
DEFAMATION, TORTIOUS  
INTERFERENCE, AND  
INJUNCTIVE RELIEF**

Plaintiff CloseAbility Data Solutions, Inc. (“CloseAbility” or “Plaintiff”), through undersigned counsel, states as follows for its Complaint against Altisource S.À R.L. (“Altisource”) and Richard Jimenez:

## INTRODUCTION

1. This is a civil action for damages and injunctive relief arising from the intentional and false dissemination of defamatory statements made about Plaintiff's lawful integration services with the Equator platform, a product owned by Defendant Altisource.
2. Plaintiff also alleges that Defendant Richard Jimenez, a real estate agent who was engaged in communications with Plaintiff regarding its Gmail-based Equator integration,

contacted Equator as part of his due diligence. Upon information and belief, such contact triggered or contributed to Altisource's subsequent issuance of a false and defamatory cease-and-desist letter, which Altisource then widely disseminated to thousands of real estate agents. Mr. Jimenez is not sued in this action and named only in this complaint because of his relation to the matters discussed. However, Plaintiff reserves the right to sue Mr. Jimenez, if necessary.

3. Defendant Altisource's actions have harmed Plaintiff's business reputation, interfered with contractual relations, and caused substantial and ongoing economic damages.

### **JURISDICTION AND VENUE**

4. This Court has jurisdiction under 28 U.S.C. § 1332(a) because the amount in controversy exceeds \$75,000, and complete diversity of citizenship exists among the parties.
5. Venue is proper in this District pursuant to 28 U.S.C. § 1391 because a substantial portion of the acts and omissions giving rise to this claim occurred in this District including, but not limited to, the Defendants email communications sent to shared clients of both companies which included real estate agents who live and/or conduct business within this District.
6. Defendant Alitource also does substantial business in this District.

### **PARTIES**

7. Plaintiff CloseAbility is a corporation organized under the laws of Wyoming and registered as a foreign corporation in Ohio with its principal place of business in Beachwood, Ohio.

8. CloseAbility provides a state-of-the-art analytics platform used by distressed real estate professionals to assess the likelihood that complicated transactions, such as the short sales agent's conduct on Equator, close quickly and smoothly.
9. Because Equator has not been substantially updated in years, it lacks the ability to provide the data and analytics to agents that CloseAbility can provide.
10. As a result of the current known limitations of Equator, a business opportunity exists for software companies, such as CloseAbility, to build an add-on to Equator so modern analytics can be provided to real estate agents.
11. CloseAbility is funded by a group of private investors and received a substantial technology investment from Google in 2022 which has allowed it to build a robust platform worth millions of dollars.
12. Defendant Altisource is a foreign business entity with operations in Luxembourg and the United States, including Florida and Texas. Altisource owns and operates the Equator® platform, which is widely used in the distressed real estate sector.
13. Defendant Richard Jimenez is an individual residing in Jacksonville, Florida. At all relevant times, he was a licensed real estate agent and, upon information and belief, contacted Equator with inquiries about Plaintiff's services, thereby possibly initiating or influencing Altisource's subsequent defamatory actions.

### **FACTUAL ALLEGATIONS**

14. Plaintiff developed an integration service using Gmail APIs, Zapier, and a proprietary domain—"myeqmail.com"—to support real estate professionals in managing their Equator accounts.
15. CloseAbility ensured that its use of Equator login credentials as provided to real estate agents by Equator was compliant with Equator's stated policies: On or about July 17, 2024, Equator expressly acknowledged that CloseAbility's planned email integration did

not violate its terms, provided that real estate agents had given informed authorization for data sharing. (See, Emails between the parties attached as EXHIBIT “A”) and incorporated here by reference).

16. On or about April 9, 2025, CloseAbility contacted Richard Jimenez as part of its customer outreach strategy to offer its Equator integration solution. During this engagement, Mr. Jimenez raised questions concerning the legitimacy of the integration.
17. Upon belief, Mr. Jimenez contacted Equator directly to confirm the nature of CloseAbility’s relationship with the platform and was falsely told no integration existed. Shortly thereafter, Altisource, the owner of Equator, issued a cease-and-desist letter falsely accusing CloseAbility of unauthorized use of its intellectual property and misrepresentation of affiliation.
18. On or about April 16, 2025, Altisource disseminated the letter, or materially similar communications, to over 3,000 real estate agents nationwide, alleging that CloseAbility’s services were illegal, infringing, or otherwise unauthorized. This complaint is attached as EXHIBIT “B” and incorporates the same here by reference.
19. These statements were false, misleading, and defamatory. They have severely damaged CloseAbility’s business reputation, caused client cancellations, deterred prospective customers, and negatively impacted investor confidence.
20. CloseAbility also maintains a visible legal disclaimer on its marketing materials and website stating that Equator is a separate and unaffiliated third-party platform:

**“Legal Disclaimer: Equator and other-third party platforms referenced in this site are marks owned by these companies and are not mentioned here as an endorsement of CloseAbility, its products and/or services.”**

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Legal Disclaimer: Equator and other-third party platforms referenced in this site are marks owned by these companies and are not mentioned here as an endorsement of CloseAbility, its products and/or services

## **CLAIMS FOR RELIEF**

### **COUNT I: DEFAMATION (LIBEL)**

21. Defendant Altisource knowingly and maliciously published false statements to third parties, asserting that CloseAbility's services were unauthorized and/or fraudulent.
22. These statements constitute libel per se and were made with reckless disregard for the truth.
23. These comments were obviously harmful on its face and don't require any additional context to be understood as damaging to the plaintiff's reputation.
24. As a result, Plaintiff has suffered severe harm, including reputational damage and substantial economic loss.

### **COUNT II – TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIPS**

25. Defendants intentionally interfered with thousands of existing and prospective business relationships between CloseAbility and real estate agents by publishing false and misleading statements.

26. Such interference was unjustified and directly caused financial harm to Plaintiff.

### **COUNT III – REQUEST FOR INJUNCTIVE RELIEF**

27. Unless enjoined, Altisource's and/or its agents' ongoing dissemination of defamatory material will cause irreparable harm for which legal remedies are inadequate.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Award compensatory and punitive damages in an amount exceeding \$25,000,000.00 USD;
- B. Grant preliminary and permanent injunctive relief prohibiting Defendants from further defamatory conduct;
- C. Require Defendants to issue a public retraction to all recipients of the defamatory communications;
- D. Award attorneys' fees, costs, and any other relief deemed just and proper by the Court.

Respectfully Submitted,

/s/ Wendy S. Rosett  
Wendy S. Rosett, ID# 0055870  
Attorney and Counselor-at-Law  
16781 Chagrin Boulevard, #304  
Shaker Heights, Ohio 44120  
216.533.4139 (cellular phone)

216.491.2125 (voicemail/fax)

[owlesq@aol.com](mailto:owlesq@aol.com)

Attorney for the Plaintiff

# **Exhibit “A”**



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**Keirsha Evans** <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>  
To: eq\_Agent Certification <[agentdevelopment@equator.com](mailto:agentdevelopment@equator.com)>

Wed, Jul 17, 2024 at 10:52 AM

Is it ok for the agents to share their accounts with their assistants?

Thanks!

[Quoted text hidden]

---

**Cunningham, Faith** <[Faith.Cunningham@altisource.com](mailto:Faith.Cunningham@altisource.com)>  
To: Keirsha Evans <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>

Wed, Jul 17, 2024 at 10:58 AM

Good morning! That is between you and your company, if you want to share your username, person ID, email, Security Questions, Passwords and all sensitive info with your assistant you can do so as it is your own account.

Best wishes,

Faith Cunningham| Sales Support Representative

[Faith.Cunningham@altisource.com](mailto:Faith.Cunningham@altisource.com)

**(915) 223-2867**

[www.altisource.com](http://www.altisource.com)

[Quoted text hidden]

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\*\*\*\*\*

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**Keirsha Evans** <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>  
To: "Cunningham, Faith" <[Faith.Cunningham@altisource.com](mailto:Faith.Cunningham@altisource.com)>

Sat, Dec 21, 2024 at 11:14 AM

Hello,

If I have a transaction coordinator can they sign up from their own account and still have access to my deals?

Thank You

[Quoted text hidden]

Mail Delivery Subsystem <mailer-daemon@googlemail.com>  
To: kevansrealtor@gmail.com

Sat, Dec 21, 2024 at 11:14 AM



## Address not found

Your message wasn't delivered to  
**Faith.Cunningham@altisource.com** because the address  
couldn't be found, or is unable to receive mail.

The response from the remote server was:

550 5.4.1 Recipient address rejected: Access denied. [SA2PEPF00003F68.namprd04.  
prod.outlook.com 2024-12-21T16:14:42.550Z 08DD19D44BBC9AC8]

Final-Recipient: rfc822; Faith.Cunningham@altisource.com

Action: failed

Status: 5.4.1

Remote-MTA: dns; altisource-com.mail.protection.outlook.com. (52.101.11.19,  
the server for the domain altisource.com.)

Diagnostic-Code: smtp; 550 5.4.1 Recipient address rejected: Access denied. [SA2PEPF00003F68.namprd04.  
prod.outlook.com 2024-12-21T16:14:42.550Z 08DD19D44BBC9AC8]

Last-Attempt-Date: Sat, 21 Dec 2024 08:14:42 -0800 (PST)

----- Forwarded message -----

From: Keirsha Evans <kevansrealtor@gmail.com>

To: "Cunningham, Faith" <Faith.Cunningham@altisource.com>

Cc:

Bcc:

Date: Sat, 21 Dec 2024 11:14:28 -0500

Subject: Re: Setup an Account for Assistants

----- Message truncated -----

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Keirsha Evans <kevansrealtor@gmail.com>

Mon, Feb 10, 2025 at 4:34 PM

To: save-RRAdQnYKMPK@3.basecamp.com, save-SbroWz8Qk4Jx@3.basecamp.com

Cc: Exequiel Baluyot <prcstaff.abs.001@parcelrevenue.com>

## Forwarded Conversation

Subject: Setup an Account for Assistants

From: Keirsha Evans <kevansrealtor@gmail.com>

Date: Mon, Jul 15, 2024 at 1:05 PM

To: <agentdevelopment@equator.com>

Hello,

I need to know if a realtor can set up an account for assistants so they will have to log in and view the messages themselves.

Thanks!

--

**Keirsha Evans**  
**DreamTeam Realty**  
**2006006049**  
**17419 Broadway Ave.**  
**Maple Hts., Ohio 44137**

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From: **eq\_Agent Certification** <[agentdevelopment@equator.com](mailto:agentdevelopment@equator.com)>  
Date: Mon, Jul 15, 2024 at 3:18 PM  
To: Keirsha Evans <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>, eq\_Agent Certification <[agentdevelopment@equator.com](mailto:agentdevelopment@equator.com)>

Hello Keirsha,

Unfortunately [Agents.Equator.com](https://agents.equator.com) does not offer a child account.

Best wishes,

**Jaime Chacon** | Sales Support Representative

[Jaime.Chacon@Equator.com](mailto:Jaime.Chacon@Equator.com)

P: (915) 615-2604

Office Location: El Paso, TX

[www.altisource.com](http://www.altisource.com)



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**From:** Keirsha Evans <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>  
**Sent:** Monday, July 15, 2024 11:06 AM  
**To:** eq\_Agent Certification <[agentdevelopment@equator.com](mailto:agentdevelopment@equator.com)>  
**Subject:** Setup an Account for Assistants

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From: **Keirsha Evans** <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>  
Date: Wed, Jul 17, 2024 at 10:52 AM  
To: eq\_Agent Certification <[agentdevelopment@equator.com](mailto:agentdevelopment@equator.com)>

Is it ok for the agents to share their accounts with their assistants?

Thanks!

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From: **Cunningham, Faith** <[Faith.Cunningham@altisource.com](mailto:Faith.Cunningham@altisource.com)>  
Date: Wed, Jul 17, 2024 at 10:58 AM  
To: Keirsha Evans <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>

Good morning! That is between you and your company, if you want to share your username, person ID, email, Security Questions, Passwords and all sensitive info with your assistant you can do so as it is your own account.

Best wishes,

Faith Cunningham| Sales Support Representative

[Faith.Cunningham@altisource.com](mailto:Faith.Cunningham@altisource.com)

**(915) 223-2867**

[www.altisource.com](http://www.altisource.com)

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\*\*\*\*\*

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From: **Keirsha Evans** <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>  
Date: Sat, Dec 21, 2024 at 11:14 AM  
To: Cunningham, Faith <[Faith.Cunningham@altisource.com](mailto:Faith.Cunningham@altisource.com)>

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If I have a transaction coordinator can they sign up from their own account and still have access to my deals?

Thank You

-----  
From: **Mail Delivery Subsystem** <[mailer-daemon@googlemail.com](mailto:mailer-daemon@googlemail.com)>  
Date: Sat, Dec 21, 2024 at 11:14 AM  
To: <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>

[Quoted text hidden]

----- Forwarded message -----

From: Keirsha Evans <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>  
To: "Cunningham, Faith" <[Faith.Cunningham@altisource.com](mailto:Faith.Cunningham@altisource.com)>



Keirsha Evans <kevansrealtor@gmail.com>

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## Setup an Account for Assistants

7 messages

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**Keirsha Evans** <kevansrealtor@gmail.com>  
To: agentdevelopment@equator.com

Mon, Jul 15, 2024 at 1:05 PM

Hello,

I need to know if a realtor can set up an account for assistants so they will have to log in and view the messages themselves.

Thanks!

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**Keirsha Evans**  
**DreamTeam Realty**  
**2006006049**  
**17419 Broadway Ave.**  
**Maple Hts., Ohio 44137**

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**eq\_Agent Certification** <agentdevelopment@equator.com>

Mon, Jul 15, 2024 at 3:18 PM

To: Keirsha Evans <kevansrealtor@gmail.com>, eq\_Agent Certification <agentdevelopment@equator.com>

Hello Keirsha,

Unfortunately [Agents.Equator.com](https://agents.equator.com) does not offer a child account.

Best wishes,

**Jaime Chacon** | Sales Support Representative

[Jaime.Chacon@Equator.com](mailto:Jaime.Chacon@Equator.com)

P: (915) 615-2604

Office Location: El Paso, TX

[www.altisource.com](https://www.altisource.com)



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**From:** Keirsha Evans <[kevansrealtor@gmail.com](mailto:kevansrealtor@gmail.com)>  
**Sent:** Monday, July 15, 2024 11:06 AM  
**To:** eq\_Agent Certification <[agentdevelopment@equator.com](mailto:agentdevelopment@equator.com)>  
**Subject:** Setup an Account for Assistants

Cc:  
Bcc:  
Date: Sat, 21 Dec 2024 11:14:28 -0500  
Subject: Re: Setup an Account for Assistants  
----- Message truncated -----

[Quoted text hidden]

# **Exhibit “B”**



Keirsha Evans <kevansrealtor@gmail.com>

## Important Notice Regarding CloseAbility Data Solutions, Inc

1 message

Altisource <noreply@altisource.com>

Fri, Apr 18, 2025 at 12:26 PM

Reply-To: Altisource <reply-fec8107376630679-364\_HTML-80020785-514031544-2008@email3.altisource.com>

To: kevansrealtor@gmail.com

To view this email as a web page, go [here](#).



Dear Agent,

We are reaching out to inform you of a matter that has recently come to our attention.

It has been reported that CloseAbility Data Solutions, Inc. ("CloseAbility") has contacted certain agents, representing or implying an affiliation or integration with Equator. We would like to take this opportunity to clarify that ***Equator has no business relationship, integration, or affiliation with CloseAbility.***

We are currently reviewing this matter internally and evaluating the appropriate course of action. Until further notice, please be advised that any outreach from CloseAbility is not authorized, endorsed, or supported by Equator.

Should you be contacted by CloseAbility, we ask that you forward any related communications to [John.Hinojo@altisource.com](mailto:John.Hinojo@altisource.com) or [Mary.Best-Brill@altisource.com](mailto:Mary.Best-Brill@altisource.com).

We appreciate your attention to this matter and your continued engagement with Equator.



This message was sent to you because you have opted in to receive email communications from Altisource. Our mailing address is NW Corporate Center 4 Suite 200 A, [7730 Market Center, El Paso, TX 79912](#). If you no longer wish to receive emails:

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